IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3739 OF 2005

Anand @ Ananta Laxman Dalvi. ... Applicant.
Versus.
The State of Maharashtra. ... Respondent.

Shri A.P.Mundargi with Shri P.P.Runwal for the Applicant.

Ms.S.D.Shinde, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 24th June, 2005.

P.C.:

1. The offence alleged against the Applicant is punishable under section 302 of the Indian Penal Code. The Application made by the Applicant for bail before the learned Sessions Judge has been rejected. One of the main ground for rejection is that the trial is scheduled to commence on 27th June 2005 on day to day basis. The learned A.P.P. on instructions states that the prosecution desires to examine 7 to 8 witnesses. The learned A.P.P. on instructions of the Investigating Officer states that the Investigating Officer will cooperate for expeditious disposal of the trial on day to day basis.

2. In view of this position, this application is not entertained. It is made clear that the merits of the case made out are not considered. If the trial is not

concluded within a period of two months from today, liberty to the Applicant to take out fresh Application for bail which will be considered on its own merits.

Judge.